

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY APPLICATION AND FEE TRANSMITTAL (1.53(b))

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

22389 U.S. PTO
10/657096
09/09/03

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s) names and addresses:

- | | |
|--|--|
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508-18 Seki, Okayama-shi
Okayama-ken 703, JAPAN |

☐ Additional inventors are listed on a separate sheet

For: SOLID ELECTROLYTE COMPOSITE FOR ELECTROCHEMICAL REACTION
APPARATUS

Enclosed Are:

- 25 page(s) of specification
1 page(s) of Abstract
4 page(s) of claims
2 sheets of ☒ Formal ☐ Informal drawings
4 page(s) of Declaration and Power of Attorney

- ☐ Unsigned
☐ Newly Executed
☐ Deletion of inventors including Signed Statement under 37 C.F.R. § 1.63(d)(2)
☒ Copy from prior application:
A copy of the combined Declaration and Power of Attorney of prior application 09/828,866, filed April 10, 2001, is filed herein, which is a copy of the Declaration and Power of Attorney filed in continuation Patent Application Serial No. 09/036,509, filed March 6, 1998.

- ☐ **REQUEST AND CERTIFICATION UNDER 35 U.S.C. §122(b)(2)(B)(i) (form PTO/SB/35)**
As indicated on the attached Request and Certification, Applicant(s) certify that the invention disclosed in the attached application HAS NOT and WILL NOT be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. Applicant(s) therefore request(s) that the attached application NOT be published under 35 U.S.C. §122(b).

☒ **Incorporation by Reference:**

- ☒ The entire disclosure of the prior U.S. Patent Application 09/828,866, filed April 10, 2001, from which this application is continued, is incorporated by reference herein in its entirety. Further, U.S. Patent Application 09/828,866, filed April 10, 2001, is a continuation of U.S. Patent Application Serial No. 09/036,509, filed March 6, 1998, which is a divisional application of 08/928,207, filed September 12, 1997, each of which is incorporated by reference in its entirety herein.

- ☐ Deletion of Inventors (37 C.F.R. §1.63(d) and §1.33(b))

Signed statement attached deleting inventor(s) named in the prior application serial no. _____, filed _____.

- ☐ Microfiche Computer Program (Appendix)

- ☐ page(s) of Sequence Listing
☐ computer readable disk containing Sequence Listing
☐ Statement under 37 C.F.R. §1.821(f) that computer and paper copies of the Sequence Listing are the same

- ☒ Assignment Papers (assignment cover sheet and assignment documents)

- ☐ A check in the amount of \$40.00 for recording the Assignment
☐ Charge the Assignment Recordation Fee to Deposit Account No. _____, Order No. _____
☒ Assignment Papers filed in the parent application Serial No. 09/828,866. (Copy attached - 7 pp)

- ☐ Certification of chain of title pursuant to 37 C.F.R. §3.73(b)

- ☐ Priority is claimed under 35 U.S.C. §119 for:
 Application No(s). _____, filed _____, in _____ (country).

- ☐ Certified Copy of Priority Document(s) [_____]
☐ filed herewith
☐ filed in application Serial No. _____, filed _____.

- ☐ English translation document(s) [_____]
☐ filed herewith
☐ filed in application Serial No. _____, filed _____.

- ☐ Priority is claimed under 35 U.S.C. §119(e) for:
 Provisional Application No. _____, filed _____.

- ☒ Information Disclosure Statement

- ☒ 4 pp Form PTO-1449 from May 6, 1998 IDS;
☒ 1 pp Form PTO-1449 from April 2, 1999 IDS;
☒ The documents cited in the above Form PTO-1449s were provided in either parent application Serial No. 08/928,207, filed September 12, 1997, or application Serial No. 09/036,509, filed March 6, 1998; and
☒ 1 pp Form PTO-1449 and copies of 3 documents cited therein.

- ☐ Related Case Statement under 37 C.F.R. §1.98(a)(2)(iii)
- ☐ A copy of related pending U.S. Application(s) Serial No(s): , filed , respectively, is attached hereto.
- ☐ A copy of related pending U.S. Application(s) entitled, , filed to inventor(s) , respectively, is attached hereto.
- ☐ A copy of each related application(s) was submitted in parent application serial no. , filed .
- ☐ Preliminary Amendment
- ☒ Return receipt postcard (MPEP 503)
- ☒ Claim of benefit of priority under 35 U.S.C. §120:
This application is a continuation of 09/828,866, filed April 10, 2001, which is a continuation of 09/036,509, filed March 6, 1998, which is a divisional of 08/928, 207, filed September 12, 1997, to which benefit of priority under 35 U.S.C. §120 is claimed.
- ☐ Cancel in this application original claims ___ of the parent application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- ☐ A Preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application).
- ☒ The status of the parent application is as follows:
- ☐ A Petition for Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application.
- ☐ A copy of the Petition for Extension of Time in the co-pending parent application is attached.
- ☒ No Petition for Extension of Time and Fee therefore are necessary in the co-pending parent application.
- ☐ Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.
- ☐ Transfer the drawing(s) from the parent application to this application
- ☒ Amend the specification by inserting before the first line the sentence:
This application is a continuation of 09/828,866, filed April 10, 2001, which is a continuation of 09/036,509, filed March 6, 1998, now abandoned, which is a divisional of 08/928, 207, filed September 12, 1997, now U.S. Patent No. 6,242,135, issued June 5, 2001.

I. CALCULATION OF APPLICATION FEE				
	Number Filed	Number Extra	Rate	Basic Fee \$750.00/375.00
Total Claims	23 - 20 =	3 x	\$18.00/\$9.00	\$ 54.00
Independent Claims	3 - 3 =	0 x	\$ 84.00/\$42.00	\$ 00.00
<input type="checkbox"/> Multiple Dependent Claims		If marked, add fee of \$280.00 (\$140.00)		\$ 0
TOTAL:				\$ 804.00

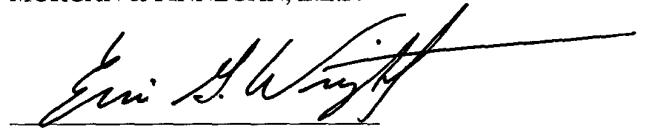
- ☐ Small entity status is or has been claimed. Reduced fees under 37 C.F.R. §1.9 (f) paid herewith \$_____.
- ☒ A check in the amount of \$ 804.00 in payment of the application filing fees is attached.
- ☐ Charge fee to Deposit Account No. _____ Order No. _____. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for filing this application pursuant to 37 CFR §1.16, **including all extension of time fees pursuant to 37 C.F.R. § 1.17 for maintaining copendency** with the parent application, or credit any overpayment to Deposit Account No. 13-4500 Order No. 0769-4624US5. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: September 9, 2003

By:



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